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FAX (617) 439-4170**FACSIMILE TRANSMITTAL COVER SHEET**DATE: September 20, 2001**FAX RECEIVED**

SEP 21 2001

TO: ATTN: Examiner U. Cegielnik
Commissioner for Patents
Washington, DC 20231FAX NO.: 703/305-3579
Art Unit 3712**GROUP 3700**FROM: George W. Neuner, Esq.# of pages 15 (including cover)

Applicant: D.F. Lyman

USSN: 09/417,428

Atty. Docket No: 71923/48641

MESSAGE: We have had made several attempts to fax our response yesterday and today and realized the fax number on your communication to us of May 2, 2001, had the incorrect fax number. Please let us know if this is received on time.

Should there be any problem with this transmission, please contact Rita E. Johnson at the above telephone number.

NOTICE

The message and/or information which accompanies this facsimile cover sheet is intended for the addressee named above only. **If you are not the intended recipient, please contact the sender by collect telephone at the number indicated.** You will be advised regarding the disposition of what you have received. The misdelivery of the message and/or information which accompanies this facsimile cover sheet is not intended to be and shall not constitute a disclosure of trade secrets, of attorney work product or of an

Practitioner's Docket No. 48641/71923

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Daniel F. Lyman
Application No.: 09/417,428 Group No.: 3712
Filed: October 13, 1999 Examiner: U. Cegielnik
For: ENTERTAINMENT AND STRESS RELIEF DISK

BY FACSIMILE TRANSMISSION
ATTN: Examiner U. Cegielnik
Commissioner for Patents
Washington, D.C. 20231

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an Amendment for this application.

FAX RECEIVED

STATUS

SEP 21 2001

2. Applicant is
[X] a small entity. A statement:
[] is attached.
[x] was already filed.
[] other than a small entity.

GROUP 3700

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period."

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

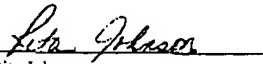
- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office.

Date: September 20, 2001

Signature


Rita Johnson

(Amendment Transmittal— page 1 of 4)

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. § 1.645 for extensions of time in interference proceedings, and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

(a) ☐ Applicant petitions for an extension of time under 37 C.F.R. § 1.136 (fees: 37 C.F.R. § 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 380.00	\$ 190.00
<input type="checkbox"/>	three months	\$ 870.00	\$ 435.00
<input type="checkbox"/>	four months	\$ 1,360.00	\$ 680.00

Fee: \$ -0-

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. § 1.116(b)-(d)) has been calculated as shown below:

[Col. 1] [Col. 2] [Col. 3] Small Entity Other Than a Small Entity

Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Additional Fee	Rate	Additional Fee
Total 17	Minus 20	= 0	x \$9 =	\$0.00	x \$ 18 =	\$ 36.
Indep. 1	Minus 3	= 0	x \$40 =	\$0.00	x \$ 80 =	\$ 80
[] First Presentation of Multiple Dependent Claim			+\$130 =		+\$260 =	
				Total Addit. Fee: \$0.00	Total Addit. Fee \$ 0.00	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (§ 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. § 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

- (c) [x] No additional fee for claims is required.

OR

- (d) [] Total additional fee for claims required \$.

FEE PAYMENT

5. [] Attached is a check in the sum of \$
 [] Charge Account No. _____ the sum of \$
 A duplicate of this transmittal is attached.


FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

6. ☒ If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 04-1105.


SIGNATURE OF PRACTITIONER
George W. Neuner

Reg. No. 29,964

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Attorney Docket No. 48,641 (1923)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: D.F. Lyman
U.S.S.N.: 09/417,428 GROUP: 3712
FILED: October 13, 1999 EXAMINER: U. Cegielnik
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Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF FAOSIMILE TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted on the date shown below to the: Commissioner for Patents, Washington, D.C. 20231

FAX 703-308-3579
Att: Examiner U. Cegielnik
Art Unit 3712

Date: Sept. 20, 2001By: Rita Johnson
Rita Johnson

Sir:

AMENDMENT

Please amend the above application as follows.

In the Claims:

Please amend claim 1 as follows.

1. An amusement and stress relief device formed of a flexible, resilient polymeric material consisting essentially of: